

KEVIN V. RYAN (CSBN 118321)
United States Attorney

MARK L. KROTOSKI (CSBN 138549)
Chief, Criminal Division

150 Almaden Avenue, Suite 900
San Jose, California 95113
Telephone: (408) 535-5035
FAX: (408) 535-5081
E-Mail: Mark.Krotoski@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

E-FILED - 10/18/06

UNITED STATES OF AMERICA,)	No. CR 05-00734-RMW
)	
Plaintiff,)	
)	STIPULATION TO CONTINUE
v.)	SENTENCING HEARING AND
)	ORDER
DESTON EVANS,)	
aka hammer, aka 778889,)	
)	
Defendant.)	

It is hereby stipulated and agreed between defendant Deston Evans, by and through his counsel of record, Jamie Harmon, Esq., and the United States, by and through Assistant United States Attorney Mark L. Krotoski, as follows:

1. This matter is presently set for a sentencing hearing on October 23, 2006 at 9:00 a.m.
2. More time is needed to complete the presentence report.
3. The parties do not oppose this request for further time to prepare the Presentence Report.

For the foregoing reasons, and that the ends of justice are served by continuing this case, the parties stipulate and request to a continuance of the sentencing hearing from October 23, 2006 at 9:00 a.m. to December 11, 2006 at 9:00 a.m., or the next available date.

// // //

STIPULATION REQUESTING CONTINUANCE OF SENTENCING HEARING AND ORDER
CR 05-00734-RMW

1 IT IS SO STIPULATED.

2 Dated: October 6, 2006

KEVIN V. RYAN
United States Attorney

3
4 /s/

5 MARK L. KROTOSKI
Assistant United States Attorney

6 Dated: October 6, 2006

7 /s/

8 JAMIE L. HARMON
Attorney for Defendant

9 IT IS SO ORDERED.

10 Upon good cause shown, the sentencing hearing is continued from October 23, 2006 at 9:00
11 a.m. to December 11, 2006 at 9:00 a.m.

12 Dated: October 18, 2006

13 /s/ Ronald M. Whyte
14 RONALD M. WHYTE
United States District Judge

15 Distribute To:

16 Jamie Harmon, Esq.
17 Harmon & Associates
300 S 1st St #220
18 San Jose, CA 95113
FAX (408) 286-6232

19 Mark L. Krotoski
20 AUSA
150 Almaden Boulevard, Suite 900
21 San Jose, CA 95113

22 Ben Flores
23 U.S. Probation Officer
280 South First Street
24 San Jose, CA 95113